



POLICE DEPARTMENT
DE-ESCALATION

**OPERATIONAL
PROCEDURE #401**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
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Policy Statement

The sanctity of human life is paramount. Johns Hopkins recognizes and respects the value of all human life and views the preservation and improvement of human life as central to its mission. It is therefore the policy of the Johns Hopkins Police Department (JHPD) to seek to avoid any use of force by applying de-escalation strategies. When de-escalation is not possible, officers may only use the least amount of force that is reasonable, necessary, and proportional to control an incident, effect an arrest, or protect themselves or others from harm or death. Each member has a duty to intercede to prevent the use of unreasonable or excessive force by other members of the public safety team toward any person, render aid to those injured, and report misconduct.

Who Is Governed by This Policy

All personnel, including sworn, nonsworn, and contractual or voluntary persons in service with the JHPD, are governed by this Directive.

Purpose

The purpose of this Directive is to affirm the responsibility of all members of the JHPD to utilize de-escalation techniques to reduce threats, gain the voluntary compliance of persons, and safely resolve all encounters with community members. When feasible, de-escalation will reduce the need for force and allow members to secure their own safety as well as the safety of the public.

Definitions

De-escalation:	The process of reducing, stabilizing, eliminating, or defusing the level of agitation, aggression, conflict, and tension in a situation or encounter through verbal and nonverbal techniques or strategies.
De-escalation Techniques:	Actions, techniques, or tactics taken or used by members that are designed to eliminate the need to use force to resolve a situation. De-escalation techniques include talking to a person using a tone of voice and language that are not aggressive or confrontational; creating space or placing barriers between the member and the person; waiting the person out when circumstances permit; permitting a person to move about when it is safe to do so; permitting a person the opportunity to make statements or ask questions; slowing down the pace of an incident; tactically repositioning; and requesting additional resources. The guiding principles for de-escalation are patience, flexibility, and the desire to resolve each situation peacefully.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Totality of Circumstances:	All facts and circumstances surrounding any event, including circumstances earlier in the interaction leading up to the event.

Policy

The use of de-escalation techniques and tactics shall be incorporated into all JHPD interactions with community members whenever possible to gain voluntary compliance and decrease the chances that any given encounter will end in the use of force. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 4.1.1)

Core Principles

JHPD members shall continuously assess each situation and adjust their response as the circumstances change. Members may be justified in using force in one instance but not justified in using force an instant later. This duty includes the continuous assessment of circumstances before and after the member uses force in accordance with the following core principles:

- I. Sanctity of Human Life:** Members shall make every effort to preserve human life in all situations.

- II. **Value of All Persons:** All human beings have equal value and worth, and members of the JHPD shall respect and uphold the value and dignity of all persons at all times.
- III. **Avoiding Escalation:** Members shall not do or say anything that escalates an encounter unless necessary to achieve a lawful purpose.
- IV. **Peaceful Resolutions:** Members shall avoid the use of force unless it is not possible to do so.
- V. **Reasonable, Necessary & Proportional:** Members shall use only the force that is reasonable, necessary, and proportional to respond to a threat or resistance to safely resolve an incident and will immediately reduce the level of force as the threat or resistance diminishes.
- VI. **Prohibition on Retaliatory Force:** Members are prohibited from using force to retaliate against persons engaged in acts of expression protected by the First Amendment as described in JHPD Directive #486, Assemblies, Demonstrations & Disruption of Campus Activities, or to punish persons for fleeing or resisting arrest, assaulting a member, or for any other reason.
- VII. **Duty to Intervene:** Members shall intervene to prevent abusive conduct or the use of retaliatory and excessive force by another member in conformance with JHPD Directive #111, Duty to Intervene. (CALEA 1.2.10)
- VIII. **Accountability:** All members shall be held accountable for any use of force that violates the law or JHPD policy and procedures.
- IX. **De-escalation:** Members shall use de-escalation techniques and tactics to reduce any threat or gain compliance to lawful commands without the use of force or with the lowest level of force possible. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, and thereby reduce or eliminate the necessity to use physical force.
- X. **Assessment:** Members shall continuously assess each situation and change the member's response as the circumstances change. Members may be justified in using force in one instance but not justified in using force an instant later. This duty to assess includes the continuous assessment of circumstances before and after the member discharges a firearm.
- XI. **Reporting Use of Force:** Each member who uses force, or observes another member or members use force, shall immediately notify their supervisor and will accurately and completely report the use of force by the end of their tour of duty. See JHPD Policy #407, Use of Force Reporting, Review & Assessment.

XII. Duty to Provide Medical Assistance: After any use of force incident, members shall immediately render aid to any injured person consistent with the member's training and request medical assistance.

XIII. Sound Tactics: Members shall comply with departmental policy, follow training, exhibit sound tactics, and be held accountable for poor tactical decisions, including failure to de-escalate and uses of force that violate law or policy.

Procedures

JHPD members shall use de-escalation techniques—whether verbal or physical—whenever possible.

I. General

- A. De-escalation techniques seek to minimize conflict and the need to use force during an incident, thereby increasing the likelihood of voluntary compliance, lessening the amount of force that may be needed, and decreasing the risk of harm.
- B. De-escalation techniques involve a range of tactics, techniques, and actions that can assist in slowing down or stabilizing an incident so that—when safe and feasible under the totality of circumstances—more time, options, and resources become available to safely resolve an incident.
- C. The employment of de-escalation techniques is especially important to maintain member and individual safety during encounters with children, youth, and persons experiencing behavioral health conditions or in crisis.

II. De-escalation Techniques

De-escalation techniques are a range of techniques that members may apply to calm an agitated person, promote rational decision-making, and de-escalate a situation, including verbal and physical de-escalation tactics and any other techniques, words, or actions intended to slow down an escalating event and calmly engage individuals in an encounter.

- A. Members shall be mindful that the presence of multiple members who are issuing commands to an agitated person may escalate the incident by increasing the likelihood of miscommunication and is less likely to result in a peaceful resolution. Whenever possible, only one member should communicate with the person.
- B. Whenever possible, only one member should directly approach the person. The other members should keep a safe distance that allows for appropriate cover but avoids crowding the person.
- C. Additional supportive members who may be present should remain detached as much as safety permits.

D. Verbal De-escalation Techniques: Whenever possible, members shall utilize verbal de-escalation techniques, including regulating vocal tone and pitch and speaking in a slow, calming voice. In addition, members will use the Listen and Explain with Equity and Dignity framework to verbally de-escalate:

- **Listen:** Members should allow people to give their side of the story and have a voice. Members should use calming gestures and facial expressions when possible (e.g., arms extended with palms out, avoiding angry expressions).
- **Explain:** Members should explain what they are doing, give the legal justification for the interaction, and explain what the individual can do (including leave if the interaction is a voluntary encounter) and what will happen.
- **Equity:** Members should explain why they are taking action; the reason should be fair and show that the individual's statements and input were considered. (Members should also practice procedural justice, such as responding to questions about why they are there or taking action when possible.)
- **Dignity:** Members should act with dignity and leave the individual with their dignity. Members should share their name, ask the person their name, and exhibit a genuine willingness to listen.
- Members should echo the individual's statements, repeating them back to subjects to demonstrate that the member is listening.
- Members should communicate using verbal persuasion and advisement, which includes:
 - Verbal persuasion (e.g., explaining, without threats, how the person would benefit from cooperation), and
 - Verbal advisement (e.g., respectfully explaining the person's rights or what the police want the person to do).
- Members should avoid shouting commands whenever possible.

E. Verbal Warnings: Unless unsafe or not feasible under the circumstances, members must communicate a verbal warning, notifying the person of the consequences of continued noncooperation and then offering the person a chance to cooperate, prior to using any type of force.

- Officers may not display weapons, including a conducted energy weapon (CEW), a firearm, a baton, or oleoresin capsaicin spray.

F. Physical De-escalation Techniques: In addition to verbal de-escalation techniques, members will use physical de-escalation techniques whenever possible, including:

- Moving temporarily to a safer position,
- Communicating from a safe position,

- Decreasing exposure to the potential threat using distance or concealment:
 - Additional physical de-escalation techniques that may reduce exposure to the potential threat include tactical repositioning to a place of cover or of a ballistic shield or placing barriers between an uncooperative person and the responding members.
- Slowing down the pace of the incident by slowing speech, taking deep breaths, and applying the critical thinking framework, including:
 - Waiting out the person, or
 - Avoiding physical confrontation.

G. Involving Additional Members or Resources: Members shall call for extra resources outside the person’s hearing, whenever possible, such as:

- Additional police and public safety personnel,
- Specially trained members, such as Crisis Intervention Team–trained members, members of the Behavioral Health Crisis Support Team or behavioral health care providers, crisis negotiators, or qualified bilingual members, or
- Members equipped with less lethal tools.

H. Disengagement

- Backing away from the situation to create more time in the short term to observe the subject and plan for redeployment, or
- Completely disengaging when it is in the best interest of justice, such as when the crime at issue is low-level property crime that has been resolved by officer presence.

I. NOTE: All members are reminded that citizens have the right to record and observe members in their public activity and criticize law enforcement through speech. During any interaction with a First Amendment auditor, members shall, at all times, remain calm, courteous, and helpful and shall avoid debates with such individuals on the scope of their legal rights or any other matter. The use of force against an individual lawfully engaged in such activity is prohibited, and members should seek to disengage if the interaction becomes confrontational. See JHPD Directive #110, Observing & Recording of Police Services; JHPD Directive #402, Use of Force; and JHPD Directive #486, Assemblies, Demonstrations & Disruption of Campus Activities.

III. Responsibility

All members shall perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions, including immediately approaching a subject without proper evaluation of the situation, failing to leave sufficient space between the member and the person they are engaging, closing the reactionary gap, or escalating a situation.

- A. When time and circumstances reasonably permit, members shall use de-escalation techniques to reduce threats, gain the voluntary compliance of persons, overcome resistance or aggression, and safely resolve all situations, conflicts, and citizen encounters without resorting to the use of force.
- B. Members shall not use profanity and should avoid yelling or the use of other verbal commands that may escalate the interaction.
- C. As part of prearrival tactical planning, members should begin to think through de-escalation techniques and the critical thinking framework in accordance with JHPD Directive #402, Use of Force.
- D. When time and circumstances reasonably permit, members shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including:
 - Medical condition,
 - Behavioral health crisis or disability,
 - Physical limitation,
 - Language barrier, or
 - Drug interaction.
- E. Whenever possible, members must balance the awareness of factors that could create an inability to comply with lawful instructions issued by them against the facts of the incident facing the member when deciding on the best tactical option or de-escalation techniques to bring the situation to a safe resolution. De-escalation techniques that may be appropriate in these circumstances include:
 - Establish and maintain one-on-one communication with the subject and avoid giving simultaneous directions or having multiple members verbally engaging the subject to avoid any confusion.
 - Consult with or request specialized units to respond, including but not limited to those related to behavioral health, tactics or negotiation, or bilingual members, to assist in de-escalating the situation, devising a disengagement strategy, or otherwise assisting in safely resolving the incident.

- Consider a disengagement plan when the benefits to be gained by police intervention are clearly outweighed by the risks associated.
- F.** During encounters with children, youth, or persons experiencing behavioral health conditions or in crisis, members will employ developmentally appropriate, trauma-informed tactics including using a calm and natural demeanor and avoiding threatening language.
- Members will account for any fear-based reactions that children, youth, or persons experiencing behavioral health conditions or in crisis may experience during an encounter with law enforcement.
 - If attempts to de-escalate an encounter with a child, youth, or person experiencing a behavioral health condition or in crisis are unsuccessful to resolve the incident, and use of force is reasonable, necessary, and proportional, members shall consider personalized factors of the individual, including:
 - Apparent age,
 - Body size,
 - Strength of the member relative to the individual, and
 - The risk posed by the individual.
- G.** Any force used shall be de-escalated immediately as resistance decreases. If the individual stops resisting, or is no longer posing a threat, the member must stop using force.
- H. Supervisors:** In addition to monitoring calls for service, the on-duty supervisor will do the following:
- Ensure that an appropriate number of members respond promptly to an incident.
 - Assess the members' tactical positioning and deployment of specialized equipment (e.g., shield, CEW, less lethal equipment).
 - As needed, provide assistance with the use of de-escalation techniques and tactics to the members at the scene.
 - Following the incident, supervisors will assess whether the members successfully employed de-escalation techniques and tactics, ensuring compliance with JHPD Directive #407, Use of Force Reporting, Review & Assessment.
 - Ensure proficiency in de-escalation techniques is discussed during every member's performance review.
- I. Duty to Provide Medical Assistance:** After any use of force incident, members shall immediately render aid to any injured person consistent with their training and request additional medical assistance in conformance with JHPD Directive #402, Use of Force.

- If restrained, persons are not to be positioned face down, as it may cause positional asphyxia, and placing restrained persons on their back may lead to radial nerve damage to the wrists and forearms.
- Restrained persons are to be placed in a seated position or on their sides and monitored for overall health and especially their ability to breathe.
- Members shall ask the restrained subject on body-worn camera if they can breathe and if they are injured.

J. Reporting Use of Force: Each member who uses force, or observes another member use force, shall immediately notify their supervisor and accurately and completely report the use of force by the end of their duty shift in conformance with JHPD Directive #407, Use of Force Reporting, Review & Assessment. (CALEA 4.2.1)

IV. Training

A. All members will receive training in Integrating Communications, Assessment, and Tactics (ICAT) and de-escalation techniques before completion and release from the Field Training and Evaluation Program. In addition, members will do the following:

- Receive and become familiar with JHPD Directive #401, De-escalation, and JHPD Directive #402, Use of Force. The receipt of these directives shall be documented in accordance with JHPD Directive #202, Written Directive System.
- Complete one shift with the Behavioral Health Crisis Support Team.
- Complete one shift at Johns Hopkins Hospital in the emergency behavioral health department. The Public Safety Training Section will ensure that all members are compliant with Maryland Police Training and Standards Commission and legislative requirements regarding initial and in-service training on de-escalation and the appropriate use of force.
- Annually, in-service training will include a review of JHPD Directive #401, De-escalation; JHPD Directive #402, Use of Force; and ICAT. (CALEA 4.3.3, 33.5.1)

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Directive should be reported to the Public Safety Accountability Unit.

Related Resources

University Policies and Documents
<p>Conduct & Responsibility #110, Observation & Recording of Police Services</p> <p>Conduct & Responsibility #111, Duty to Intervene</p> <p>Administrative Procedure #202, Written Directive System</p> <p>Operational Procedure #401, De-escalation</p> <p>Operational Procedure #402, Use of Force</p> <p>Operational Procedure #407, Use of Force Reporting, Review & Assessment</p> <p>Operational Procedure #486, Assemblies, Demonstrations & Disruption of Campus Activities</p>
External Documentation
<p>Robin S. Engel et al., <i>Examining the Impact of “Integrating Communications, Assessment, and Tactics” (ICAT) De-escalation Training for the Louisville Metro Police Department: Initial Findings</i> (Cincinnati: University of Cincinnati, 2020), https://www.theiacp.org/sites/default/files/Research Center/LMPD_ICAT Evaluation Initial Findings Report_FINAL 09212020.pdf</p>
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Policy Management	(667)306-8618	jhpdpolicyinquiry@jh.edu